

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Clean Water Act as amended, (33 U.S.C. §§1251 et seq.; the "CWA", and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53),

**Haverhill Wastewater Treatment Facility  
Wastewater Division  
40 South Porter Street  
Bradford, Massachusetts 01835**

is authorized to discharge from the facility located at

**Haverhill Wastewater Treatment Facility  
40 South Porter Street  
Bradford, Massachusetts 01835  
and Nineteen combined sewer overflows (CSOs) listed in Attachment E**

to receiving water named : **Merrimack River and Little River**  
(Merrimack River Basin - MA84)

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective sixty (60) days from the date of signature.

This permit and the authorization to discharge expire at midnight, September 30, 2006.

This permit supersedes the permit issued on April 14, 1998.

This permit consists of 16 Pages in Part I including effluent limitations, monitoring requirements, etc., Attachments A through E, and 35 pages in Part II including General Conditions and Definitions. *NOTE: Attachments not included electronically.*

Signed this 26<sup>th</sup> day of June, 2003

/Signature on File?

Linda M. Murphy, Director  
Office of Ecosystem Protection  
Environmental Protection Agency  
Boston, MA

Director, Division of Watershed Management  
Bureau of Resource Protection  
Department of Environmental Protection  
Commonwealth of Massachusetts  
Boston, MA

PART I

1.A. During the period beginning the effective date and lasting through expiration, the permittee is authorized to discharge from outfall serial number <b>046</b> , treated industrial and sanitary wastewater and storm water to the Merrimack River. Such discharges shall be limited and monitored as specified below.					
<u>EFFLUENT CHARACTERISTIC</u>	<u>EFFLUENT LIMITS</u>		<u>MONITORING REQUIREMENTS</u>		
PARAMETER	<u>AVERAGE MONTHLY</u>	<u>AVERAGE WEEKLY</u>	<u>MAXIMUM DAILY</u>	<u>MEASUREMENT FREQUENCY</u>	<u>SAMPLE <sup>3*</sup> TYPE</u>
FLOW	18.1 MGD <sup>2</sup>	*****	Report MGD	CONTINUOUS	RECORDER
BOD <sub>5</sub> <sup>4, 6</sup>	30 mg/l 4529 lb/Day	45 mg/l 6793 lb/Day	Report mg/l <sup>1</sup> Report lb/Day	5/WEEK	24-HOUR COMPOSITE <sup>5</sup>
TSS <sup>4, 6</sup>	30 mg/l 4529 lb/Day	45 mg/l 6793 lb/Day	Report mg/l <sup>1</sup> Report lb/Day	5/WEEK	24-HOUR COMPOSITE <sup>5</sup>
pH RANGE <sup>1, 6</sup>	6.5 to 8.5 SU See Part I.A.1.b			1/DAY	GRAB
TOTAL CHLORINE RESIDUAL (TRC) <sup>6</sup>	0.40 mg/l	*****	0.70 mg/l	1/DAY	GRAB
CONTINUOUS CHLORINE ANALYZER <sup>6</sup>	*****	*****	Report mg/l	CONTINUOUS	RECORDER (SCADA)
FECAL COLIFORM <sup>6</sup>	200/100 ml	400/100 ml	400/100 ml	5/WEEK	GRAB
WHOLE EFFLUENT TOXICITY SEE FOOTNOTES - 6, 7, 8, and 9	LC <sub>50</sub> \$100%			4/YEAR	24-HOUR COMPOSITE <sup>5</sup>

**\*SEE PERMIT ATTACHMENT A FOR SAMPLE LOCATIONS AND ADDITIONAL INSTRUCTIONS**

Footnotes:

1. Required for State Certification.
2. For flow, report maximum and minimum daily rates and total flow for each operating date. The flow limit is an annual average. The annual average flow shall be reported each month as a rolling average and shall be calculated using the monthly average flow from the reporting month and the monthly average flows from the preceding 11 months.
3. **All required effluent samples shall be collected at the point specified in Permit Attachment A.** Any change in sampling location must be reviewed and approved in writing by EPA and MADEP. All samples shall be tested using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136. All samples shall be 24 hour composites unless specified as a grab sample in 40 CFR §136. The permittee shall submit the results to EPA of any additional testing done to that required herein if it is conducted in accordance with EPA approved methods, consistent with the provisions of 40 CFR §122.41(l)(4)(ii).
4. Sampling required for influent and effluent.
5. A 24-hour composite sample will consist of at least twenty-four (24) grab samples taken during one working day.
6. Upon completion of the new bypass discharge chamber, sampling for BOD, TSS, pH, TRC, fecal coliform, and whole effluent toxicity must be conducted below the bypass mixing point. An additional 1/day TRC grab sample will be required during all bypasses. (See Permit Attachment A)
7. The permittee shall conduct 48 hour static, non-renewal acute toxicity tests four times per year. The permittee shall test the Pimephales promelas (Fathead Minnow) only. Toxicity test samples shall be collected during the second week of the months of January, April, July, and October. The test results shall be submitted by the last day of the month following the completion of the test. The results are due, February 28<sup>th</sup>, May 31<sup>st</sup>, August 31<sup>st</sup>, and November 30<sup>th</sup>, respectively. The tests must be performed in accordance with test procedures and protocols specified in **Attachment B** of this permit.

Test Dates	Submit Results By:	Test Species	Acute Limit LC <sub>50</sub>
Second week of: January April July October	February 28 <sup>th</sup> May 31 <sup>st</sup> August 31 <sup>st</sup> November 30 <sup>th</sup>	<u>Pimephales promelas</u> (Fathead Minnow) See Attachment B	\$ 100%

After submitting **one year** and a **minimum** of four consecutive sets of WET test results, all of which demonstrate compliance with the WET permit limits, the permittee may request a reduction in the WET testing requirements. The permittee is required to continue testing at the frequency specified in the permit until notice is received by certified mail from the EPA that the WET testing requirement has been changed.

8. If toxicity test(s) using receiving water as diluent show the receiving water to be toxic or unreliable, the permittee shall follow procedures outlined in **Attachment B Section IV., DILUTION WATER** in order to obtain permission to use an alternate dilution water. In lieu of individual approvals for alternate dilution water required in **Attachment B**, EPA-New England has developed a Self-Implementing Alternative Dilution Water Guidance document (called “Guidance Document”) which may be used to obtain automatic approval of an alternate dilution water, including the appropriate species for use with that water. If this Guidance document is revoked, the permittee shall revert to obtaining approval as outlined in **Attachment B**. The “Guidance Document” has been sent to all permittees with their annual set of DMRs and Revised Updated Instructions for Completing EPA’s Pre-Printed NPDES Discharge Monitoring Report (DMR) Form 3320-1 and is not intended as a direct attachment to this permit. Any modification or revocation to this “Guidance Document” will be transmitted to the permittees as part of the annual DMR instruction package. However, at any time, the permittee may choose to contact EPA-New England directly using the approach outlined in **Attachment B**.
9. The  $LC_{50}$  is the concentration of effluent which causes mortality to 50% of the test organisms. Therefore, a 100% limit means that a sample of 100% effluent (no dilution) shall cause no more than a 50% mortality rate.

Part I.A.1. (Continued)

- b. **The discharge shall not cause a violation of the water quality standards of the receiving waters.**
- c. The pH of the effluent shall not be less than 6.5 nor greater than 8.5 at any time, unless these values are exceeded due to natural causes or as a result of the approved treatment processes.
- d. The discharge shall not cause objectionable discoloration of the receiving waters.
- e. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time.

- f. When the effluent discharged for a period of 90 consecutive days exceeds 80 percent of the designed flow, the permittee shall submit to the permitting authorities a projection of loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.
- g. The permittee shall minimize the use of chlorine while maintaining adequate bacterial control.

A.2. All POTWs must provide adequate notice to the Director of the following:

- a. Any new introduction of pollutants into that POTW from an indirect discharger in a primary industry category discharging process water; and
- b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. For purposes of this paragraph, adequate notice shall include information on:
  - (1) the quantity and quality of effluent introduced into the POTW; and
  - (2) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

A.3. Limitations for Industrial Users:

**Pollutants introduced into POTW's by a non-domestic source (user) shall not pass through the POTW or interfere with the operation or performance of the works.**

The permittee shall develop and enforce specific effluent limits (local limits) for Industrial User(s), and all other users, as appropriate, which together with appropriate changes in the POTW Treatment Plant's Facilities or operation, are necessary to ensure continued compliance with the POTW's NPDES permit or sludge use or disposal practices. Specific local limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond. **Within 120 days of the effective date of this permit,** the permittee shall prepare and submit a written technical evaluation to the EPA analyzing the need to revise local limits.

As part of this evaluation, the permittee shall assess how the POTW performs with respect to influent and effluent of pollutants, water quality concerns, sludge quality, sludge processing concerns/inhibition, biomonitoring results, activated sludge inhibition, worker health and safety and collection system concerns.

In preparing this evaluation, the permittee shall complete the attached form (Attachment D) with the technical evaluation to assist in determining whether existing local limits need to be revised. Justifications and conclusions should be based on actual plant data if available and should be included in the report.

Should the evaluation reveal the need to revise local limits, the permittee shall complete the revisions within 120 days of notification by EPA and submit the revisions to EPA for approval. The Permittee shall carry out the local limits revisions in accordance with EPA Guidance Manual for the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program (December, 1987).

#### A.4. INDUSTRIAL PRETREATMENT PROGRAM

- a. The permittee shall implement the Industrial Pretreatment Program in accordance with the legal authorities, policies, procedures, and financial provisions described in the permittee's approved Pretreatment Program, and the General Pretreatment Regulations, 40 CFR 403. At a minimum, the permittee must perform the following duties to properly implement the Industrial Pretreatment Program (IPP):
  1. Carry out inspection, surveillance, and monitoring procedures which will determine, independent of information supplied by the industrial user, whether the industrial user is in compliance with the Pretreatment Standards. At a minimum, all significant industrial users shall be sampled and inspected at the frequency established in the approved IPP but in no case less than once per year and maintain adequate records.
  2. Issue or renew all necessary industrial user control mechanisms within 90 days of their expiration date or within 180 days after the industry has been determined to be a significant industrial user.
  3. Obtain appropriate remedies for noncompliance by any industrial user with any pretreatment standard and/or requirement.
  4. Maintain an adequate revenue structure for continued implementation of the Pretreatment Program.

- b. The permittee shall provide EPA (and States) with an annual report describing the permittee's pretreatment program activities for the twelve month period ending 60 days prior to the due date in accordance with 403.12(i). The annual report shall be consistent with the format described in Attachment C of this permit and shall be submitted no later than March 1 of each year.
- c. The permittee must obtain approval from EPA prior to making any significant changes to the industrial pretreatment program in accordance with 40 CFR 403.18(c).
- d. The permittee must assure that applicable National Categorical Pretreatment Standards are met by all categorical industrial users of the POTW. These standards are published in the Federal Regulations at 40 CFR 405 et. seq.

## **B. TOXICS CONTROL**

- 1. The permittee shall not discharge any pollutant or combination of pollutants in toxic amounts.
- 2. Any toxic components of the effluent shall not result in any demonstrable harm to aquatic life or violate any state or federal water quality standard which has been or may be promulgated. Upon promulgation of any such standard, this permit may be revised or amended in accordance with such standards.
- 3. EPA or DEP may use the results of the toxicity tests and chemical analyses conducted pursuant to this permit, as well as national water quality criteria developed pursuant to Section 304(a)(1) of the Clean Water Act (CWA), state water quality criteria, and any other appropriate information or data, to develop numerical effluent limitations for any pollutants, including but not limited to those pollutants listed in Appendix D of 40 CFR Part 122.

## **C. COMBINED SEWER OVERFLOWS ( CSOs )**

- 1. EFFLUENT LIMITATIONS
  - a. During wet weather, the permittee is authorized to discharge storm water/wastewater from combined sewer outfalls listed in Attachment E, subject to the following effluent limitations.

i. The discharges shall receive treatment at a level providing Best Practicable Control Technology Currently Available (BPT), Best Conventional Pollutant Control Technology (BCT) to control and abate conventional pollutants and Best Available Technology Economically Achievable (BAT) to control and abate non-conventional and toxic pollutants. The EPA has made a Best Professional Judgement (BPJ) determination that BPT, BCT, and BAT for combined sewer overflow (CSO) control include the implementation of Nine Minimum Controls (NMC) specified below and detailed further in Part I.C.2. "Nine Minimum Controls, Minimum Implementation Levels" of this permit:

1. Proper operation and regular maintenance programs for the sewer system and the combined sewer overflows.
2. Maximum use of the collection system for storage.
3. Review and modification of the pretreatment program to assure CSO impacts are minimized.
4. Maximization of flow to the POTW for treatment.
5. Prohibition of dry weather overflows from CSOs.
6. Control of solid and floatable materials in CSO.
7. Pollution prevention programs that focus on contaminant reduction activities.
8. Public notification to ensure that the public receives adequate notification of CSO occurrences and CSO impacts.
9. Monitoring to effectively characterize CSO impacts and the efficacy of CSO controls.

Implementation of these controls is required by the effective date of the permit. Documentation of the implementation of these controls has been submitted and is currently under review by EPA and the State. EPA and the State consider that approvable documentation must include the minimum requirements set forth in Part I.C.2 of this Permit and additional activities the permittee can reasonably undertake.

ii. The discharges shall not cause **or contribute to** violations of Federal or State Water Quality Standards.

2. Nine Minimum Controls, Minimum Implementation Levels



- a. The Permittee must implement the nine minimum controls in accordance with the documentation provided to EPA and MADEP or as subsequently modified to enhance the effectiveness of the controls. This implementation must include the following controls plus other controls the Permittee can reasonably implement as set forth in the documentation.
- b. Each CSO structure/regulator, pumping station and/or tidegate shall be routinely inspected, at a minimum of once per month, to insure that they are in good working condition and adjusted to minimize combined sewer discharges and tidal surcharging. (NMC # 1, 2 and 4). The following inspection results shall be recorded: the date and time of the inspection, the general condition of the facility, and whether the facility is operating satisfactorily. If maintenance is necessary, the permittee shall record: the description of the necessary maintenance, the date the necessary maintenance was performed, and whether the observed problem was corrected. The permittee shall maintain all records of inspections for at least three years.

The State and EPA have the right to inspect any CSO related structure or outfall at any time without prior notification to the permittee.

- c. Discharges to the combined collection system of septage, holding tank wastes or other material which may cause a visible oil sheen or containing floatable material are prohibited during wet weather when CSO discharges may be active. (NMC# 3,6, and 7).
- d. Dry weather overflows (DWOs) are prohibited (NMC# 5). All dry weather sanitary and/or industrial discharges from CSOs must be reported to EPA and the State within 24 hours and provide a written report within 5 days in accordance with the reporting requirements for bypass (Paragraph D.1.e(1) of Part II of this permit).
- e. The permittee shall quantify and record all discharges from combined sewer outfalls (NMC# 9). Quantification may be through direct measurement or estimation. When estimating, the permittee shall make reasonable efforts, i.e. gaging, measurements, to verify the validity of the estimation technique. The following information must be recorded for each combined sewer outfall for each discharge event:

- ! Estimated duration (hours) of discharge;
- ! Estimated volume (gallons) of discharge; and
- ! National Weather Service precipitation data from the nearest gage where precipitation is available at daily (24-hour) intervals and the nearest gage where precipitation is available at one-hour intervals. Cumulative precipitation per discharge event shall be calculated.

The permittee shall maintain all records of discharges for at least six years after the effective date of this permit.

**Within 3 months of the effective date of this permit**, the permittee will submit a CSO monitoring plan to EPA and MADEP for approval, which describes the methods the permittee will use to quantify CSO activations and volumes. The CSO monitoring plan will be implemented upon EPA and MADEP approval. Activation frequencies and discharge volumes required to be submitted in the annual report (see Section I.C.3) shall thereafter be reported in accordance with methods identified in the monitoring plan.

- f. The permittee shall install and maintain identification signs for all combined sewer outfall structures (NMC# 8). The signs must be located at or near the combined sewer outfall structures and easily readable by the public. These signs shall be a minimum of 12 x 18 inches in size, with white lettering against a green background, and shall contain the following information:

CITY OF HAVERHILL  
WET WEATHER  
SEWAGE DISCHARGE  
OUTFALL (discharge serial number)

### 3. Annual Report

**By April 30 of 2004 and by April 30 each year thereafter**, the permittee shall submit a report which includes the following information;

- a. Activation frequency and discharge volume for each CSO during the previous calendar year. The report shall include this information for each of the CSO discharge outfalls listed on Attachment E.
- b. Precipitation during the previous year for each day, including total rainfall (expressed in inches), peak intensity (highest 15 minute sample multiplied by four to convert to inches per hour), and average intensity (the total rainfall for the storm event divided by the duration of the storm, expressed in inches per hour).
- c. A certification which states that the previous calendar year's monthly inspections were conducted, results recorded, and records maintained.
- d. A summary of modifications to the approved NMC program which have been evaluated, and a description of those which will be implemented during the upcoming year.

In the first annual report submitted in accordance with this permit, the permittee shall submit a public notification plan to describe the measures actively being taken to meet NMC #9 (see NMC #9 in Part I.C.1.a.i.8), and an evaluation of further measures to enhance the public notification program, including the following;

- i. Outfall signs visible from both water and land.
- ii. Signs/Notices at areas where people may be using CSO-impacted waters for recreation such as swimming, boating, fishing, and places where public may gain access to the water (e.g. boat put-in areas). The notice would include information on the health risks posed by CSOs and links for additional information on CSOs and water quality.
- iii. Review of the sewer system model to determine the threshold rain events which normally will cause overflows.
- iv. Quarterly postings on the permittee's website and links to other relevant web-sites which would give the locations of the CSOs, and associated health risks and estimates of CSO activations and volumes. **The permittee shall establish a website within six (6) months of the effective date of the permit.**
- v. Annual press release and notification to interested individuals and groups on the progress of the CSO abatement work, also noting contacts for additional information on CSOs and water quality.
- vi. Notice to local health agents and other downstream public officials, including drinking water treatment plants (where appropriate), shellfish wardens, harbor masters, and the Massachusetts Division of Marine Fisheries (via FAX at 978-465-5947) within 24 hours of activation of CSOs. The permittee shall also notify the Massachusetts Division of Marine Fisheries by the same method if the treatment plant discharges effluent without disinfection. When City of Haverhill staff are unavailable to confirm an actual discharge from a CSO during a significant precipitation event, the permittee shall report the probable occurrence of a CSO discharge in the same manner. Subsequently, the occurrence of the CSO discharge event shall be confirmed or dispelled as staff become available. The planned notice distribution contact list shall be provided to EPA and DEP

The public notification plan shall include a schedule for implementation of enhanced public notice measures.

A copy of the first annual report be sent to:

Division of Marine Fisheries  
Shellfish Program  
84 82nd Street  
Newburyport, MA 01950

#### **D. UNAUTHORIZED DISCHARGES**

The permittee is authorized to discharge from POTW outfall 046 and from CSO outfalls listed in Attachment E in accordance with terms and conditions of this permit. Discharges of wastewater from any other point sources, including sanitary sewer overflows (SSOs) or other diversionary structures are not authorized by this permit and shall be reported in accordance with Section D.1.e (1) of the General Requirements of this permit.

#### **E. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM**

Operation and maintenance of the sewer system shall be in compliance with the General Requirements of Part II and the following terms and conditions:

1. Maintenance Staff: The permittee shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit.
2. Alternate Power Source: In order to maintain compliance with the terms and conditions of this permit, the permittee shall continue to provide an alternative power source with which to sufficiently operate its treatment works (as defined at 40 CFR §122.2).

3. Infiltration/Inflow Control Plan:

The permittee shall develop and implement a plan to control infiltration and inflow (I/I) to the separate sewer system. The plan shall be **submitted to EPA and MA DEP within six months of the effective date of this permit** (see page 1 of this permit for the effective date) and shall describe the permittee's program for preventing infiltration/inflow related effluent limit violations, and all unauthorized discharges of wastewater, including overflows and by-passes due to infiltration/inflow.

The plan shall include:

- An ongoing program to identify and remove sources of infiltration and inflow. The program shall include the necessary funding level and the source(s) of funding.
- An inflow identification and control program that focuses on the disconnection and redirection of illegal sump pumps and roof down spouts. Priority should be given to removal of public and private inflow sources that are upstream from, and potentially contribute to, known areas of sewer system backups and/or overflows
- Identification and prioritization of areas that will provide increased aquifer recharge as the result of reduction/elimination of infiltration and inflow to the system.
- An educational public outreach program for all aspects of I/I control, particularly private inflow.

Reporting Requirements:

A summary report of all actions taken to minimize I/I during the previous calendar year shall be **submitted to EPA and the MA DEP annually, by the anniversary date of the effective date of this permit.** The summary report shall, at a minimum, include:

- A map and a description of inspection and maintenance activities conducted and corrective actions taken during the previous year.
- Expenditures for any infiltration/inflow related maintenance activities and corrective actions taken during the previous year
- A map with areas identified for I/I-related investigation/action in the coming year.
- A calculation of the annual average I/I, the maximum month I/I for the reporting year.
- A report of any infiltration/inflow related corrective actions taken as a result of unauthorized discharges reported pursuant to 314 CMR 3.19(20) and reported pursuant to the Unauthorized Discharges section of this permit.

## **F. SLUDGE CONDITIONS**

1. The permittee shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices and with the CWA Section 405(d) technical standards.

2. The permittee shall comply with the more stringent of either the state or federal (40 CFR Part 503), requirements.
3. The requirements and technical standards of 40 CFR Part 503 apply to facilities which perform one or more of the following use or disposal practices.
  - a. Land application - the use of sewage sludge to condition or fertilize the soil
  - b. Surface disposal - the placement of sewage sludge in a sludge only landfill
  - c. Sewage sludge incineration in a sludge only incinerator
4. The 40 CFR Part 503 conditions do not apply to facilities which place sludge within a municipal solid waste landfill. These conditions also do not apply to facilities which do not dispose of sewage sludge during the life of the permit but rather treat the sludge (e.g., lagoons- reed beds), or are otherwise excluded under 40 CFR 503.6.
5. The permittee shall use and comply with the attached compliance guidance document to determine appropriate conditions. Appropriate conditions contain the following elements.
  - General requirements
  - Pollutant limitations
  - Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
  - Management practices
  - Record keeping
  - Monitoring
  - Reporting

Depending upon the quality of material produced by a facility, all conditions may not apply to the facility.

6. The permittee shall monitor the pollutant concentrations, pathogen reduction and vector attraction reduction at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year:

less than 290	1/ year
290 to less than 1500	1 /quarter
1500 to less than 15000	6 /year
15000 +	1 /month

7. The permittee shall sample the sewage sludge using the procedures detailed in 40 CFR 503.8.

8. **The permittee shall submit an annual report containing the information specified in the sludge guidance on or before February 19.** Reports shall be submitted to the address contained in the reporting section of the permit. Sludge monitoring is not required by the permittee when the permittee is not responsible for the ultimate sludge disposal. The permittee must be assured that any third party contractor is in compliance with appropriate regulatory requirements. In such case, the permittee is required only to submit an annual report by February 19 containing the following information:

- C Name and address of contractor responsible for sludge disposal
- C Quantity of sludge in dry metric tons removed from the facility by the sludge contractor

## **G. MONITORING AND REPORTING**

### Reporting

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the effective date of the permit.

Signed and dated originals of these, and all other reports required herein, shall be submitted to the Director and the State at the following addresses:

Environmental Protection Agency  
Water Technical Unit (SEW)  
P.O. Box 8127  
Boston, Massachusetts 02114

The State Agency is:

Massachusetts Department of Environmental Protection  
Northeast Regional Office  
Bureau of Waste Prevention  
1 Winter Street  
Boston, MA 02108

Signed and dated Discharge Monitoring Report Forms and toxicity test reports required by this permit shall also be submitted to the State at:

Massachusetts Department of Environmental Protection  
Division of Watershed Management  
Surface Discharge Permit Program  
627 Main Street, 2nd Floor  
Worcester, Massachusetts 01608

## **H. STATE PERMIT CONDITIONS**

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MADEP) under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Commissioner of the MADEP pursuant to M.G.L. Chap.21, §43.

Each Agency shall have the independent right to enforce the terms and conditions of this Permit. Any modification, suspension or revocation of this Permit shall be effective only with respect to the Agency taking such action, and shall not affect the validity or status of this Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this Permit is declared, invalid, illegal or otherwise issued in violation of State law such permit shall remain in full force and effect under Federal law as an NPDES Permit issued by the U.S. Environmental Protection Agency. In the event this Permit is declared invalid, illegal or otherwise issued in violation of Federal law, this Permit shall remain in full force and effect under State law as a Permit issued by the Commonwealth of Massachusetts.